



CORRECTION NOTICE

Watershed Protection & Development Review

Permit Address: 2102 E 13TH ST UNIT A

Permit Number
Inspector, phone, pager
& email

2007-154472-BP

Julio Molis 974-2714 802-3596
julio.molis@ci.austin.tx.us

No.	Location	Inspection Type	Date	Deficiency	Comments
1		103 Framing	01/30/2008	provide site survey, foundation approval letter, third party pre-frame checklist with all corrections completed that are listed and TJI layout	
2		102 Foundation	01/30/2008	Must have legible seal by licensed engineer or architect	
3		103 Framing	03/27/2008	missing at chase and at tub to chases, shim headers, provide TJI layout, transfer load at dbl. tji at gar. at walls, provide foundation letter	

2007-154472-MP

Julio Molis 974-2714 802-3596
julio.molis@ci.austin.tx.us

4		400 Mechanical Rough	01/30/2008	builder has not met frame group inspection requirement (paperwork not provided)	
5	house	400 Mechanical Rough	03/27/2008	fire stop at a/c duct chases	

2007-154472-PP

Julio Molis 974-2714 802-3596
julio.molis@ci.austin.tx.us

6		503 Plumbing Gas Rough	01/30/2008	Natural Gas Distribution - Test	
7		502 Plumbing Top Out	01/30/2008	need paperwork on site	

For General Assistance, Dial: 974-2027



CORRECTION NOTICE

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& email

Julio Molis 974-2714 802-3596
julio.molis@ci.austin.tx.us

No. Location	Inspection Type	Date	Deficiency	Comments
1	102 Foundation	01/30/2008	Must have legible seal by licensed engineer or architect	
2	103 Framing	03/27/2008	missing at chase and at tub to chases,shim headers,provide TJI layout,transfer load at dbl. tj at gar. at walls,provide foundation letter	
3	103 Framing	01/30/2008	provide site survey,foundation approval letter,third party pre-frame checklist with all corrections completed that are listed and TJI layout	



City of Austin

PLUMBING PERMIT

PERMIT NO: 2007-154472-PP

Type: RESIDENTIAL Status: Expired

2102 E 13TH ST UNIT A

Issue Date: 01/28/2008 EXPIRY DATE: 03/17/2009

LEGAL DESCRIPTION Lot: 2 Block: 6 Subdivision: HABICHTS SUBDIVISION		SITE APPROVAL	ZONING SF-3-NP	
PROPOSED OCCUPANCY addn to create a duplex use	WORK PERMITTED: Addition		ISSUED BY: Glenda Wilsford	
Total SQFT New/Addn: 2,013 Existing: 1,910	Valuation Remodel: \$.00 Total New: \$80,000.00	Use CAT. 434	Floors 2	Units 1

Contact

Plumbing Contractor, Rogelio Vasquez, R & R Plumbing
General Contractor, Victor Stinson, Stinson Property Group

Telephone

(512) 382-1994
(512) 658-8876

Fee Description

Plumbing Permit Fee

Fee Amount

\$85.00

Paid Date

01/28/2008

Total Fees:

\$85.00

Inspection Requirements

Plumbing Inspection
Water Tap Inspection
Sewer Tap Inspection

City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection. A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.

Approval of the final plumbing inspection, if required, serves as completion and approval of a customer service inspection as required by 30 T.A.C. 290.46(j).

Completion and acceptance of the final plumbing inspection meets the Customer Service Inspection requirements as identified in TCEQ's Rules and Regulations for Public Water Systems 290.46 (j).

Comments

structure fits within bldg tend overhangs can extend 2' outside the tent
sidewall articulation-east wall must articulate at 32' no sidewall art required for west all because wall length is 30'
far allowed 3103 sq ft/applicant has 3045 sq ft.
2nd floor balcony is uncovered
setback average allows structure to be 22.8'(ldc-subchapter f article 2 sect. 2.3.b)
duplex common wall must be a minimum of 47" can use zipper wall and wall must connect both units with common roof.
porch cannot encroach into 5' side setback. can encroach into front setback(22.8')up to 5'
no ceiling height over 15' in height
3 off street parking spaces per urban core.

BY ACCEPTING OR PAYING FOR THIS PERMIT YOU ARE DECLARING THAT YOU ARE THE OWNER OR AUTHORIZED BY THE OWNER THAT THE DATA SUBMITTED AT THE TIME OF APPLICATION WAS TRUE FACTS AND THAT THE WORK WILL CONFORM TO THE PLANS AND SPECIFICATION SUBMITTED HEREWITH.



City of Austin

PLUMBING PERMIT

PERMIT NO: 2007-154472-PP

Type: RESIDENTIAL Status: Expired

2102 E 13TH ST UNIT A

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LEGAL DESCRIPTION Lot: 2 Block: 6 Subdivision: HABICHTS SUBDIVISION		SITE APPROVAL	ZONING SF-3-NP	
PROPOSED OCCUPANCY addn to create a duplex use	WORK PERMITTED: Addition		ISSUED BY: Glenda Wilsford	
Total SQFT New/Addn: 2,013 Existing: 1,910	Valuation Remodel: \$.00 Total New: \$80,000.00	Use CAT. 434	Floors 2	Units 1

Type	Date	Status	Comments	Inspector
114 Continuance of work		Open		Julio Molis
500 Plumbing Rough	03/14/2008	Cancelled	revise permit	Julio Molis
501 Plumbing Copper	01/30/2008	Cancelled		Julio Molis
502 Plumbing Top Out	04/02/2008	Pass		Julio Molis
503 Plumbing Gas Rough	01/30/2008	Fail		Julio Molis
504 Interior Water Line	01/30/2008	Cancelled		Julio Molis
505 Sewer Yard Line		Open		Julio Molis
506 Water Yard Line		Open		Julio Molis
507 Gas Yard Line		Open		Julio Molis
509 Irrigation Rough		Open		Julio Molis
510 Sewer Tap		Open		Julio Molis
520 Temporary Gas Final		Open		Julio Molis
521 Final Plumbing		Open		Julio Molis
522 Plumbing TCO Occupancy		Open		Julio Molis
524 Boiler/Hotwater Heater		Open		Julio Molis

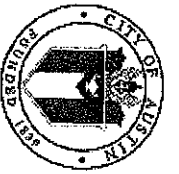
SignOff

510 Sewer Tap

Date

SignOff

Date



CORRECTION NOTICE

Watershed Protection & Development Review

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Inspector, phone, pager
& email

Julio Molis 974-2714 802-3596
julio.molis@ci.austin.tx.us

No. Location	Inspection Type	Date	Deficiency	Comments
1	502 Plumbing Top Out	01/30/2008	need paperwork on site	
2	502 Plumbing Top Out	03/27/2008	Shower/Tub - Test	
3	503 Plumbing Gas Rough	01/30/2008	Natural Gas Distribution - Test	



CORRECTION NOTICE

Watershed Protection & Development Review

Permit Address: 2102 E 13TH ST UNIT A

Permit Number
Inspector, phone, pager
& email

2007-154472-PP

Julio Molis 974-2714 802-3596
julio.molis@ci.austin.tx.us

No.	Location	Inspection Type	Date	Deficiency	Comments
8		502 Plumbing Top Out	03/27/2008	Shower/Tub - Test	



City of Austin

MECHANICAL PERMIT

PERMIT NO: 2007-154472-MP
2102 E 13TH ST UNIT A

Type: RESIDENTIAL Status: EXPIRED
Issue Date: 01/16/2008 **EXPIRY DATE: 03/17/2009**

LEGAL DESCRIPTION Lot: 2 Block: 6 Subdivision: HABICHTS SUBDIVISION		SITE APPROVAL	ZONING SF-3-NP	
PROPOSED OCCUPANCY addn to create a duplex use		WORK PERMITTED Addition		ISSUED BY: Michelle Meadows
Total SQFT New/Addn: 2,013 Existing: 1,910	Valuation Remodel: \$.00 Total New: \$80,000.00	Use CAT. 434	Floors 2	Units 1

Contact

Mechanical Contractor, Larry Susen, Bunten A/C Service
General Contractor, Victor Stinson, Stinson Property Group

Telephone

(512) 288-4621
(512) 658-8876

Fee Description

Mechanical Permit Fee

Fee Amount

\$66.00

Paid Date

01/16/2008

Total Fees:

\$66.00

Inspection Requirements

Mechanical Inspection

**City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection.
A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.**

Comments

structure fits within bldg tend overhangs can extend 2' outside the tent
sidewall articulation-east wall must articulate at 32' no sidewall art required for west all because wall length is 30'
far allowed 3103 sq ft/applicant has 3045 sq ft.
2nd floor balcony is uncovered
setback average allows structure to be 22.8 (ldc-subchapter f article 2 sect. 2.3.b)
duplex common wall must be a minimum of 47' can use zipper wall and wall must connect both units with common roof.
porch cannot encroach into 5' side setback. can encroach into front setback(22.8) up to 5'
no ceiling height over 15' in height
3 off street parking spaces per urban core.

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THE DATA SUBMITTED AT THE TIME OF APPLICATION WAS TRUE FACTS AND THAT THE WORK WILL CONFORM TO THE PLANS AND
SPECIFICATION SUBMITTED HERewith.



City of Austin

MECHANICAL PERMIT

PERMIT NO: 2007-154472-MP
2102 E 13TH ST UNIT A

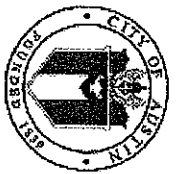
Type: RESIDENTIAL Status: EXPIRED
Issue Date: 01/16/2008 **EXPIRY DATE: 03/17/2009**

LEGAL DESCRIPTION Lot: 2 Block: 6 Subdivision: HABICHTS SUBDIVISION		SITE APPROVAL	ZONING SF-3-NP	
PROPOSED OCCUPANCY addn to create a duplex use	WORK PERMITTED Addition	ISSUED BY: Michelle Meadows		
Total SQFT New/Addn: 2,013 Existing: 1,910	Valuation Remodel: \$.00 Total New: \$80,000.00	Use CAT. 434	Floors 2	Units 1

Type	Date	Status	Comments	Inspector
114 Continuance of work		Open		Julio Molis
400 Mechanical Rough	04/02/2008	Pass		Julio Molis
402 Mechanical Vent		Open		Julio Molis
405 Final Mechanical		Open		Julio Molis
406 Mech TCO Occupancy		Open		Julio Molis
409 Mechanical Temp Gas		Open		Julio Molis
Deficiencies		Open		Julio Molis

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Permit Number: 2007-154472-MP

Permit Address: 2102 E 13TH ST UNIT A

Inspector, phone, pager
& email

Julio Molis 974-2714 802-3596
julio.molis@ci.austin.tx.us

No. Location	Inspection Type	Date	Deficiency	Comments
1 house	400 Mechanical Rough	03/27/2008	fire stop at a/c duct chases	
2	400 Mechanical Rough	01/30/2008	builder has not met frame group inspection requirement(paperwork not provided)	



City of Austin

ELECTRIC PERMIT

PERMIT NO: 2007-154472-EP

Type: RESIDENTIAL **Status:** Final

2102 E 13TH ST UNIT A

Issue Date: 01/18/2008 **EXPIRY DATE:** 09/18/2008

LEGAL DESCRIPTION Lot: 2 Block: 6 Subdivision: HABICHTS SUBDIVISION		SITE APPROVAL	ZONING SF-3-NP	
PROPOSED OCCUPANCY addn to create a duplex use	WORK PERMITTED: Addition		ISSUED BY: Angelica Yanez	
Total SQFT New/Addn: 2,013 Existing: 1,910				
Valuation Remodel: \$.00 Total New: \$80,000.00		Use CAT	Floors 2	Units 1

Contact

Electrical Contractor, Tony Jaramillo
General Contractor, Victor Stinson, Stinson Property Group

Telephone

(512) 657-9926
(512) 658-8876

Fee Description

Electrical Permit Fee

Fee Amount

\$100.00

Paid Date

01/18/2008

Total Fees:

\$100.00

Inspection Requirements

Electric Inspection

City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection. A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.

Comments

structure fits within bldg tend overhangs can extend 2' outside the tent
sidewall articulation-east wall must articulate at 32' no sidewall art required for west all because wall length is 30'
far allowed 3103 sq ft/applicant has 3045 sq ft.
2nd floor balcony is uncovered
setback average allows structure to be 22.8'(ldc-subchapter f article 2 sect. 2.3.b)
duplex common wall must be a minimum of 47' can use zipper wall and wall must connect both units with common roof.
porch cannot encroach into 5' side setback. can encroach into front setback(22.8)up to 5'
no ceiling height over 15' in height
3 off street parking spaces per urban core.

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City of Austin

ELECTRIC PERMIT

PERMIT NO: 2007-154472-EP

Type: RESIDENTIAL Status: Final

2102 E 13TH ST UNIT A

Issue Date: 01/18/2008 **EXPIRY DATE: 09/18/2008**

LEGAL DESCRIPTION Lot: 2 Block: 6 Subdivision: HABICHTS SUBDIVISION		SITE APPROVAL	ZONING SF-3-NP
PROPOSED OCCUPANCY addn to create a duplex use	WORK PERMITTED: Addition	ISSUED BY: Angelica Yanez	
Total SQFT New/Addn: 2,013 Existing: 1,910	Valuation Remodel: \$.00 Total New: \$80,000.00	Use CAT	Floors 2 Units 1

Type	Date	Status	Comments	Inspector
114 Continuance of work		Open		
300 Electrical Slab		Open		Sam Verver
301 Electrical Rough	01/30/2008	Pass	sub panel ok	Sam Verver
302 Electrical Grounding		Open		Sam Verver
304 Temporary Electric	09/18/2008	Cancelled		John Pace
305 Final Electric	09/18/2008	Pass		John Pace
306 Electrical TCO Occupancy		Open		Sam Verver

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City of Austin

DRIVEWAY & SIDEWALK PERMIT

PERMIT NO: 2007-154472-DS

2102 E 13TH ST UNIT A

Type:

Status: Expired

Issue Date:

Expiry Date: 03/17/2009

LEGAL DESCRIPTION Lot: 2 Block: 6 Subdivision: HABICHT'S SUBDIVISION		SITE APPROVAL	
PROPOSED OCCUPANCY **addn to create a duplex use		WORK PERMITTED	ISSUED BY
Total Number Of Driveways: 1 Driveway Width 1: 18 Driveway Width 2: Total Linear SqFt Of All Driveways: Total Number Of Sidewalks: Total Linear SqFt Of All Curbs And Gutters:		<u>Right Of Way Usage</u> Number Of Lanes Affected: Number Of Days Lanes Affected: Number Of Structures Affected: Number Of Days Structures Affected:	

Contact General Contractor, Victor Stinson, Stinson Property Group	Telephone (512) 658-8876
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Inspection Requirements

Driveway Inspection

Comments

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Section 25-11-94 EXPIRATION AND EXTENSION OF PERMIT (Active Permits will expire 180 days at 11:59:59 pm after date of last inspection performed.)

Permittee must adhere to all applicable Local, State, and Federal Laws and Regulations, including, but not limited to, the Americans with Disabilities Act and all other applicable disability laws and regulations. Only Certified Competent Persons trained in traffic control may set traffic control devices. Permittee must coordinate with any pre-existing construction or traffic controls in area. Right-of-Way Management must be notified at 974-7180 prior to commencement of construction if Traffic Control conflicts exist. Contact ROW Management at 974-7180 to request any changes to the previously-approved Traffic Control Plan for Lane or Sidewalk Closures. Failure to comply with these requirements will cause delays or red tag of job!



City of Austin

DRIVEWAY & SIDEWALK PERMIT

PERMIT NO: 2007-154472-DS

2102 E 13TH ST UNIT A

Type:

Status: Expired

Issue Date:

Expiry Date: 03/17/2009

LEGAL DESCRIPTION Lot: 2 Block: 6 Subdivision: HABICHTS SUBDIVISION		SITE APPROVAL
PROPOSED OCCUPANCY **addn to create a duplex use	WORK PERMITTED	ISSUED BY
Total Number Of Driveways: 1 Driveway Width 1: 18 Driveway Width 2: Total Linear SqFt Of All Driveways: Total Number Of Sidewalks: Total Linear SqFt Of All Curbs And Gutters:	<u>Right Of Way Usage</u> Number Of Lanes Affected: Number Of Days Lanes Affected: Number Of Structures Affected: Number Of Days Structures Affected:	

Permittee must adhere to all applicable Local, State, and Federal Laws and Regulations, including, but not limited to, the Americans with Disabilities Act and all other applicable disability laws and regulations. Only Certified Competent Persons trained in traffic control may set traffic control devices. Permittee must coordinate with any pre-existing construction or traffic controls in area. Right-of-Way Management must be notified at 974-7180 prior to commencement of construction if Traffic Control conflicts exist. Contact ROW Management at 974-7180 to request any changes to the previously-approved Traffic Control Plan for Lane or Sidewalk Closures. Failure to comply with these requirements will cause delays or red tag of job!



City of Austin BUILDING PERMIT

PERMIT NO: 2007-154472-BP

Type: RESIDENTIAL

Status: Expired

2102 E 13TH ST UNIT A

Issue Date: 09/28/2007

EXPIRY DATE: 03/17/2009

LEGAL DESCRIPTION Lot: 2 Block: 6 Subdivision: HABICHTS SUBDIVISION						SITE APPROVAL		ZONING SF-3-NP	
PROPOSED OCCUPANCY: addn to create a duplex use		WORK PERMITTED: Addition				ISSUED BY: Zulema Flores			
TOTAL SQFT New/Addn: 2,013		VALUATION Tot Val Rem: \$.00		TYPE CONST.	USE CAT. 434	GROUP	FLOORS 2	UNITS 1	# OF PKG SPACES 3
TOTAL BLDG. COVERAGE 2035		% COVERAGE 26	TOTAL IMPERVIOUS COVERAGE 2672		% COVERAGE 2797	# OF BATHROOMS		METER SIZE	

Contact		Phone	Contact		Phone
Applicant, Victor Stinson, Stinson Property Group		(512) 658-8876	Billed To, MGE Development, Inc.		(512) 632-0066
General Contractor, Victor Stinson, Stinson Property Group		(512) 658-8876			

Fee Desc	Amount	Date	Fee Desc	Amount	Date	Fee Desc	Amount	Date
Building Permit Fee	185.00	9/28/2007	Electrical Permit Fee	100.00	1/18/2008	Mechanical Permit Fee	66.00	1/16/2008
Plumbing Permit Fee	85.00	1/26/2008						
Fees Total:	436.00							

Inspection Requirements			
Building Inspection	Driveway Inspection	Electric Inspection	Mechanical Inspection
Plumbing Inspection	Sewer Tap Inspection	Water Tap Inspection	

All Buildings, Fences, Landscaping, Patios, Flatwork And Other Uses Or Obstructions Of A Drainage Easement Are Prohibited, Unless Expressly Permitted By A License Agreement Approved By COA Authorizing Use Of The Easement.

City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection. A "Cancelled" and/or "Failed/No Work Performed" inspection result does not extend the expiration date.

The following permits are required as a separate permit: See Mechanical, Electrical, Plumbing permits for Related Fees and Inspections.

Comments structure fits within bidg tend overhangs can extend 2' outside the tent sidewall articulation-east wall must articulate at 32' no sidewall art required for west all because wall length is 30' far allowed 3103 sq ft/applicant has 3045 sq ft. 2nd floor balcony is uncovered setback average allows structure to be 22.8'(dc-subchapter f article 2 sect. 2.3.b) duplex common wall must be a minimum of 47' can use zipper wall and wall must connect both units with common roof. porch cannot encroach into 5' side setback. can encroach into front setback(22.8)up to 5' no ceiling height over 15' in height 3 off street parking spaces per urban core.



City of Austin BUILDING PERMIT

PERMIT NO: 2007-154472-BP

Type: RESIDENTIAL

Status: Expired

2102 E 13TH ST UNIT A

Issue Date: 09/28/2007

EXPIRY DATE: 03/17/2009

LEGAL DESCRIPTION Lot: 2 Block: 6 Subdivision: HABICHTS SUBDIVISION				SITE APPROVAL		ZONING SF-3-NP									
PROPOSED OCCUPANCY: addn to create a duplex use		WORK PERMITTED: Addition			ISSUED BY: Zulerna Flores										
<table border="1"> <tr> <td>TOTAL SQFT New/Addn: 2,013</td> <td>VALUATION Tot Val Rem: \$.00</td> <td>TYPE CONST.</td> <td>USE CAT. 434</td> <td>GROUP</td> <td>FLOORS 2</td> <td>UNITS 1</td> <td># OF PKG SPACES 3</td> </tr> </table>								TOTAL SQFT New/Addn: 2,013	VALUATION Tot Val Rem: \$.00	TYPE CONST.	USE CAT. 434	GROUP	FLOORS 2	UNITS 1	# OF PKG SPACES 3
TOTAL SQFT New/Addn: 2,013	VALUATION Tot Val Rem: \$.00	TYPE CONST.	USE CAT. 434	GROUP	FLOORS 2	UNITS 1	# OF PKG SPACES 3								
TOTAL BLDG. COVERAGE 2035	% COVERAGE 26	TOTAL IMPERVIOUS COVERAGE 2672	% COVERAGE 2797	# OF BATHROOMS	METER SIZE										

Residential Zoning Review

Date
09/27/2007

Reviewer
Residential Zoning Reviewers

By Accepting Or Paying For This Permit You are Declaring That You Are The Owner Or Authorized By The Owner That The Data Submitted At The Time Of Application Was True Facts And That The Work Will Conform To The Plans And Specification Submitted Herewith.

Type	Date	Status	Comments	Inspector
101 Building Layout	4/2/2008	Temporary		Julio Molis
102 Foundation	3/31/2008	Temporary		Julio Molis
103 Framing	4/2/2008	Pass		Julio Molis
104 Insulation	4/4/2008	Pass		Julio Molis
105 Wallboard	4/10/2008	Pass		Julio Molis
108 TCO Stocking		Open		Julio Molis
111 Energy Final		Open		Julio Molis
112 Final Building		Open		Julio Molis
114 Continuance of work		Open		Julio Molis
611 Water Tap		Open		Austin Water Utility
Deficiencies		Open		Julio Molis



City of Austin BUILDING PERMIT

PERMIT NO: 2007-154473-BP

Type: RESIDENTIAL

Status: Expired

2102 E 13TH ST UNIT B

Issue Date: 09/28/2007

EXPIRY DATE: 03/17/2009

LEGAL DESCRIPTION

Lot: 2 Block: 6 Subdivision: HABICHTS SUBDIVISION

SITE APPROVAL

ZONING
SF-3-NP

PROPOSED OCCUPANCY:

WORK PERMITTED: Remodel

ISSUED BY: Zulema Flores

change of use and change of address from sf residence to create a duplex

TOTAL SQFT	VALUATION	TYPE CONST.	USE CAT.	GROUP	FLOORS	UNITS	# OF PKG SPACES
Remodel: 1,910	Tot Val Rem: \$23.00		435		2	1	3
TOTAL BLDG. COVERAGE	% COVERAGE	TOTAL IMPERVIOUS COVERAGE	% COVERAGE	# OF BATHROOMS	METER SIZE		

Contact

Applicant, MGE Development. Inc.
Billed To, MGE Development. Inc.

Phone

(512) 632-0066
(512) 632-0066

Contact

Internet User, MGE Development. Inc.
General Contractor, Victor Stinson, Stinson Property Group

Phone

(512) 632-0066
(512) 658-8876

Fee Desc	Amount	Date	Fee Desc	Amount	Date	Fee Desc	Amount	Date
Building Permit Fee	23.00	9/28/2007						
Fees Total:	23.00							

Inspection Requirements

Building Inspection

All Buildings, Fences, Landscaping, Patios, Flatwork And Other Uses Or Obstructions Of A Drainage Easement Are Prohibited, Unless Expressly Permitted By A License Agreement Approved By COA Authorizing Use Of The Easement.

City Code Chapter 25-12, Article 13: A permit expires on the 181st day if the project has not scheduled nor received an inspection.
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The following permits are required as a separate permit: See Mechanical, Electrical, Plumbing permits for Related Fees and Inspections.

Comments

Residential Zoning Review

Date

09/27/2007

Reviewer

Residential Zoning Reviewers

By Accepting Or Paying For This Permit You are Declaring That You Are The Owner Or Authorized By The Owner That The Data Submitted At The Time Of Application Was True
And That The Work Will Conform To The Plans And Specification Submitted Herewith.



City of Austin BUILDING PERMIT

PERMIT NO: 2007-154473-BP

Type: RESIDENTIAL Status: Expired

2102 E 13TH ST UNIT B

Issue Date: 09/28/2007

EXPIRY DATE: 03/17/2009

LEGAL DESCRIPTION Lot: 2 Block: 6 Subdivision: HABICHTS SUBDIVISION				SITE APPROVAL		ZONING SF-3-NP			
PROPOSED OCCUPANCY:		WORK PERMITTED: Remodel		ISSUED BY: Zulema Flores					
change of use and change of address from sf residence to create a duplex									
TOTAL SQFT Remodel: 1,910		VALUATION Tot Val Rem: \$23.00		TYPE CONST.	USE CAT. 435	GROUP	FLOORS 2	UNITS 1	# OF PKG SPACES 3
TOTAL BLDG. COVERAGE		% COVERAGE	TOTAL IMPERVIOUS COVERAGE	% COVERAGE	# OF BATHROOMS		METER SIZE		

Type	Date	Status	Comments	Inspector
101 Building Layout		Open		Julio Molis
102 Foundation		Open		Julio Molis
103 Framing		Open		Julio Molis
104 Insulation		Open		Julio Molis
105 Wallboard		Open		Julio Molis
108 TCO Stocking		Open		Julio Molis
112 Final Building		Open		Julio Molis
114 Continuance of work		Open		Julio Molis
Deficiencies		Open		Julio Molis



Tree Permit

Planning and Development Review Department

One Texas Center, 505 Barton Springs Road, 4th floor

Phone: (512) 974-1876

Fax: (512) 974-3010

Email: Michael.Embetsi@ci.austin.tx.us

Website: www.ci.austin.tx.us/trees

ROW I.D. 10497686

585R

Application request* (specify all that apply):

☐ Single Family Home / Duplex or ☐ Other

☒ Removal of a protected-size tree;

☐ Development exceeding allowable standards for encroachment in the tree's critical root zone;

☐ Removal of more than 30% of a tree's crown.

* Refer to Land Development Code 25-8 (B)(1) and Environmental Criteria Manual (Section 3, App. F). Applicant understands that all impacts may threaten the health of the tree and that approval of this application does not guarantee favorable tree results.

Address of Property (including zip code): 2102 E. 13th Street

Name of Owner or Authorized Agent: W5C REQ, LLC

Building Permit Number (if applicable): _____ ☐ Apply application fee to this permit (escrow)

Telephone #: 512-257-3278 Fax #: _____ E-mail: tamara@waterservicing.com

Type of Tree: Pecan Tree Location on Lot: By the house

Trunk size at 4 1/2 feet above ground: circumference (inches around) 76" or diameter 4.5" 23.5" dbh

General Tree Condition: tree is half dead

Reason for Request: branches are falling - or could fall on the house

Tamara Waters
Owner/ Authorized Agent Signature

9-30-10
Date

- Attach an aerial drawing that includes the location of the tree and the proposed development, including driveways, utility lines, irrigation systems, etc. This application is reviewed for tree impact only; not for zoning or other applicable regulations.
- The application may be emailed, faxed, or delivered to the above address. Payment (\$25 check to the City of Austin) must be made prior to City personnel completing this application. No fee is required for dead or diseased trees.

PERMIT DETERMINATION - To be completed by City Arborist Personnel

☒ Approved ☐ *Approved With Conditions ☐ Denied ☐ Statutory Denial (more information required)

Comments: _____

*Conditions of Approval: ☒ None; ☐ As described within Arborist Comments (see above); and

- ☐ Applicant agrees to plant _____ caliper inches, container grown, City of Austin Class 1 trees* (i.e. Live Oak, Cedar Elm, Mountain Laurel) on the lot prior to obtaining a Certificate of Occupancy (minimum 2-inch trunk diameter).
- ☐ Prior to development, applicant agrees to supply an 8-inch root zone mulch layer and maintain tree protection fencing (chain-link, five-foot in height) throughout the project duration.
- ☐ Provide a receipt for remedial tree care and / or any required pruning as performed by a certified arborist.
- ☐ No impacts are permitted within the tree 1/2 critical root zone (* ECM 3.5.2), including trenching for utilities.

Owner/ Authorized Agent Signature

Date

[Signature]
City Arborist Signature

10/1/2010
Date

Post this permit on site while any proposed work is in progress.
Conditions for approval of this application must be met within 1 year of the effective date.

CITY OF AUSTIN
Board of Adjustment/Sign Review Board
Decision Sheet

DATE: Monday, December 13, 2010

CASE NUMBER: C15-2010-0132

____ Jeff Jack
____ Michael Von Ohlen
____ Nora Salinas
____ Bryan King
____ Leane Heldenfels, Chairman
____ Clarke Hammond, Vice Chairman
____ Heidi Goebel

APPLICANT: Mike Collins

OWNER: Tamara Dozler

ADDRESS: 2102 13TH ST

VARIANCE REQUESTED: The applicant has requested a variance to increase the maximum floor-to-area requirement of Subchapter F; Article 2: Development Standards; Subsection 2.1 from 0.4:1.0 to 0.59:1.0 in order to maintain structures and change the use to create a duplex residential use in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district.

The applicant has requested a variance from the duplex residential use common roof and common wall connection requirement of Section 25-2-773 (D) in order to maintain structures and change the use to create a duplex residential use in an "SF-3-NP", Family Residence – Neighborhood Plan zoning district. The Land Development Code states that (1) the two dwelling units must have a common floor and ceiling or a common wall, which may be a common garage wall, that (a) extends for at least 50 percent of the maximum depth of the building, as measured from the front to the rear of the lot; and (b) maintains a straight line for a minimum of four foot intervals or segments and (2) must have a common roof.

BOARD'S DECISION: The public hearing was closed on Board Member Jeff Jack motion to Deny, Board Member Heidi Goebel second on a 4-3 vote (Board Member Melissa Hawthorne, Nora Salinas, Heidi Goebel nay); **DENIED.**

FINDING:

1. The Zoning regulations applicable to the property do not allow for a reasonable use because:
2. (a) The hardship for which the variance is requested is unique to the property in that:

(b) The hardship is not general to the area in which the property is located because:

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

Susan Walker
Executive Liaison

Leane Heldenfels
Chairman

December 20, 2010

To: Board of Adjustment

From: Mike Collins

Re: Reconsideration of Case # C15-2010-132

The actions of the builder and the purported lack of due diligence by the current owners were the focus of discussion which resulted in the denial of our two (2) variances. Reconsideration of case #C15-2010-132 is being requested because new findings have been discovered in documents which were not made available in a timely manner for consideration at the December 13, 2010 BOA meeting.

1) Regarding the variance request for the common wall connection requirement of Section 25-2-773;

Permit history and related documents made available to me at the December 13, 2010 BOA meeting, show proof and demonstrate a long term knowledge by the City of Austin's Approval Authority, of Ian Mitchell's (the builder) plan to develop a duplex at 2102 East 13th St.. The initial authorizing building permit was issued more than four years ago as evidenced by the permit dated August 23, 2006. (Please see Exhibit 'A' & note Remarks i.e. 'Breezeway Attachment'.)

Over the course of the next year, various permits were suspended, revised & reissued. However, every permit contains acknowledgement by the City of Austin's Approval Authority that the 'Proposed Occupancy' was to create a duplex. The most recent building permits issued for 2102 A & B, dated September 28, 2007, continue to demonstrate knowledge by COA that the 'Proposed Occupancy' to create a duplex had not changed. The layout and position of the structures currently on the property were verified on a survey completed July 25, 2007, two months before the September 28, 2007 building permit. The survey and building permit for 2102A describe a method of attachment (a zipper wall) other than the 'Breezeway' approved on the August 23, 2006 permit. (Please see Exhibit 'B1' comments & 'B2' the survey.) The location of the two structures was reaffirmed by a survey completed June 14, 2010.

Per the McMansion Ordinance # 20060216-043 in effect during the period in which all the building permits were issued to Ian Mitchell, the City of Austin's Approval Authority authorized alternative connections and permitted construction of two structures that could never be physically connected in a manner that was compliant with the existing Ordinances.

Given, the City of Austin's Approval Authority's role in the current situation with 2102 A/B East 13th St. we respectfully request this variance be approved to allow the placement of a breezeway on the footing that already exists for that purpose (please see Exhibit 'C'), as authorized per building permit #06018884 dated August 23, 2006.

2) Regarding the variance request for an increase in the floor-to-area requirement of Subchapter F; Article 2: Development Standards; Subsection 2.1;

We would like to direct the Board's attention to the notation on page four (4) of the BOA application which states "The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated". Conversely, denying an applicant when other structures within 300' of 2102 East 13th St. already enjoy a FAR variance would demonstrate bias toward the current owners. (Please see Exhibits 'D1'; 'D2'; 'D3'; 'D4'; & 'D5'.) These neighboring properties were permitted and constructed during the same time period as 2102 A/B, and there is no evidence of a negative impact on the neighborhood.

Based on this information we respectfully request the FAR variance of 0.59:1.0 be approved.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Collins", written over a horizontal line.

Michael Collins



CITY OF AUSTIN - PROJECT PERMIT

Printed: 07 December 2010

PERMIT NO.
06018884STATUS
ACTIVETYPE
RADDRESS
2102 E 13TH STDATE
23-AUG-06

SUBDIVISION OLT 34 DIV B						PERMIT CLERK GWILSFORD						
PLAT		BLOCK 6		LOT 2		GRID MK23						
ZONE SF-3-N	HT. & AREA	REQD.	PARKING PROVD.	PROPOSED OCCUPANCY CHGE USE F/SF TO DUPLEX, RMDL EXIST UNIT A(INT & EXT) & ADD ATTACHED GARAGE, 1ST FLR: BATH & UTILITY***								
SPECIAL PERMIT NO.		TOTAL SQ. FT. 3429		VALUATION \$142,000		TYPE CONST.		USE. CAT. R4-0	GROUP	FLOORS 2	BLDGS 1	UNITS 2
WORK PERMITTED ADDITION			BASEMENT N		BUILDING DIMENSIONS					MIN. STD. N	ONR N	

C O N T R A C T O R S	OWNER/CONTR.	MGE DEVELOPMENT	PHONE 632-0066	FEE	PAID DATE	REQUIRED INSPECTIONS BUILDING MECHANICAL ELECTRIC PLUMBING
	BUILDING	GARY PRUITT	632-0066	\$674	08/23/2006	
	ELECTRICAL	TONY JARAMILLO SR		\$220	10/25/2006	
	MECHANICAL	LARRY SUSEN		\$149	09/29/2006	
	PLUMBING	ROGELIO S VASQUEZ		\$155	08/24/2006	
	SIDEWALK/DRIVE					
	SIGN					
	ROOF / SIDE					
	ELEC SERVICE FEE					
	PLAN CHECK FEE					
			ETJ FEE	TOTAL FEE \$1,198	TOTAL PAID \$1,198	

C.O. MAILING ADDRESS

Approval of the final plumbing inspection, if required, serves as completion and approval of a customer service inspection, as required by 30 T.A.C. 29.46 (j).

REMARKS: *** & 2ND FLR: 3 BDRMS, 2 BATH, & BALCONY. &
ADD UNIT B W/ATTACHED GARAGE, COVD PORCH
& ADD BREEZEWAY ATTACHMENT.
BC 2060=26.6%. IC 3059=39.4%
TOTAL: 6 BDRMS & 5 BATH=3/4" WTR METER
EROSION/SEDIMENTATION CONTROLS REQ'D.
LAYOUT INSPECTION REQ'D BEFORE STARTING
CONSTRUCTION.
ZON.REV. DCERKAN/ESPA 10/25/06 298-105 DH

BY TAKING AND/OR PAYING FOR THIS PERMIT APPLICATION, YOU ARE DECLARING YOU ARE THE OWNER OR HAVE BEEN AUTHORIZED BY THE OWNER OR OWNERS TO SUBMIT THIS APPLICATION, THAT THE GIVEN DATA ARE TRUE FACTS AND THAT THE WORK WILL CONFORM TO THE PLANS AND SPECIFICATIONS SUBMITTED HERewith:

THIS IS A RECEIPT OF PAYMENT FOR FEE OR FEES AS MARKED PAID.

TO SCHEDULE AN INSPECTION, CALL 480-0623.

Exhibit 'A'



City of Austin BUILDING PERMIT

PERMIT NO: 2007-154472-BP

2102 E 13TH ST UNIT A

Type: RESIDENTIAL

Status: Expired

Issue Date: 09/28/2007

EXPIRY DATE: 03/17/2009

LEGAL DESCRIPTION Lot: 2 Block: 6 Subdivision: HABICHTS SUBDIVISION						SITE APPROVAL		ZONING SF-3-NP	
PROPOSED OCCUPANCY: addn to create a duplex use		WORK PERMITTED: Addition				ISSUED BY: Zulerna Flores			
TOTAL SQFT New/Addn: 2,013		VALUATION Tot Val Rem: \$00		TYPE CONST.	USE CAT. 434	GROUP	FLOORS 2	UNITS 1	# OF PKG SPACES 3
TOTAL BLDG. COVERAGE 2035		% COVERAGE 26	TOTAL IMPERVIOUS COVERAGE 2672		% COVERAGE 2797	# OF BATHROOMS		METER SIZE	

Contact	Phone	Contact	Phone
Applicant, Victor Stinson, Stinson Property Group	(512) 658-8876	Billed To, MGE Development, Inc.	(512) 632-0066
General Contractor, Victor Stinson, Stinson Property Group	(512) 658-8876		

Fee Desc	Amount	Date	Fee Desc	Amount	Date	Fee Desc	Amount	Date
Building Permit Fee	185.00	9/28/2007	Electrical Permit Fee	100.00	1/18/2008	Mechanical Permit Fee	66.00	1/16/2008
Plumbing Permit Fee	85.00	1/28/2008						
Fees Total:	436.00							

Inspection Requirements			
Building Inspection	Driveway Inspection	Electric Inspection	Mechanical Inspection
Plumbing Inspection	Sewer Tap Inspection	Water Tap Inspection	

All Buildings, Fences, Landscaping, Patios, Flatwork And Other Uses Or Obstructions Of A Drainage Easement Are Prohibited, Unless Expressly Permitted By A License Agreement Approved By COA Authorizing Use Of The Easement.

Section 25-11-94 Expiration and extension of permit (Active Permits will expire 180 days at 11:59:59 pm after date of last inspection posted). If you allow this permit to expire, you will be required to submit a new application & pay new fees.

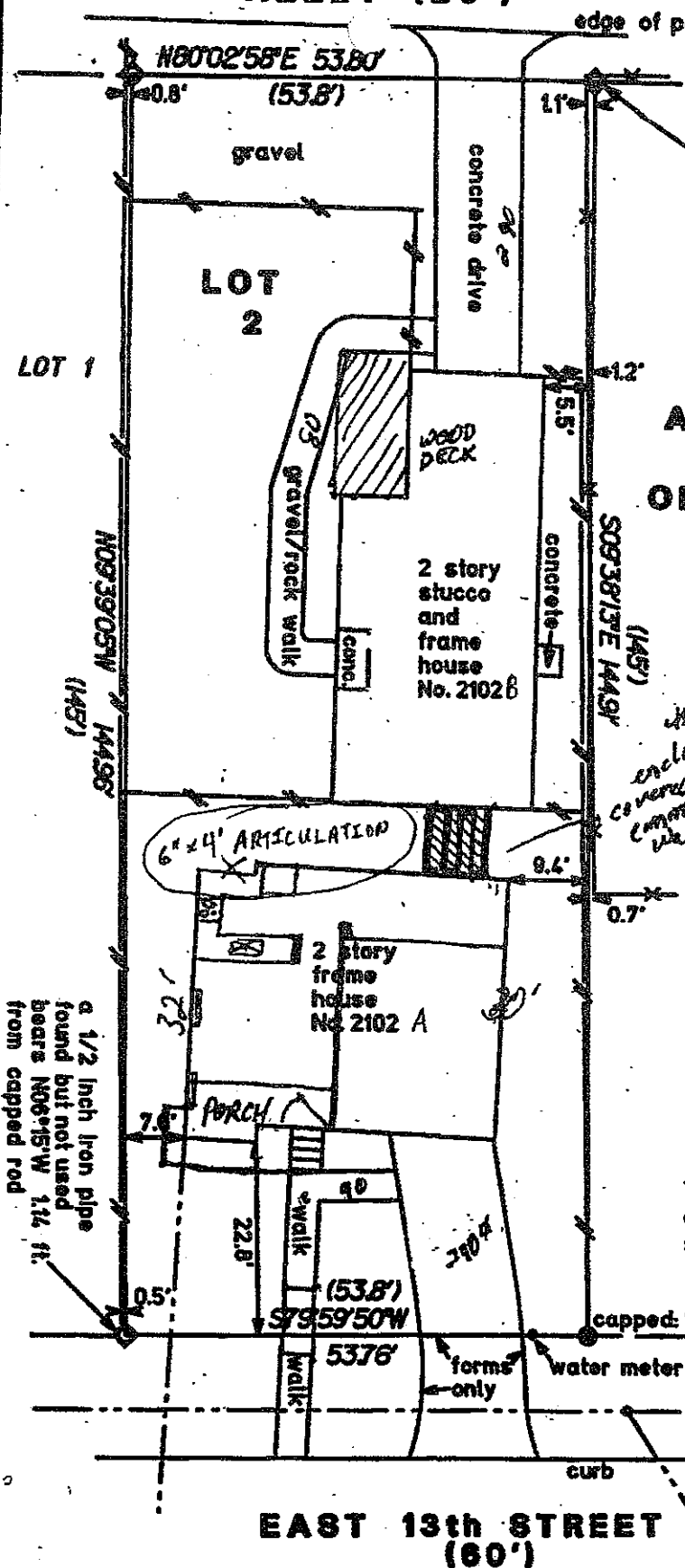
The following permits are required as a separate permit: See Mechanical, Electrical, Plumbing permits for Related Fees and Inspections.

<p>Comments</p> <p>structure fits within bldg tend overhangs can extend 2' outside the tent</p> <p>sidewall articulation-east wall must articulate at 32' no sidewall art required for west all because wall length is 30'</p> <p>far allowed 3103 sq ft/applicant has 3045 sq ft.</p> <p>2nd floor balcony is uncovered</p> <p>setback average allows structure to be 22.8'(ldc-subchapter f article 2 sect. 2.3.b)</p> <p>duplex common wall must be a minimum of 47' can use zipper wall and wall must connect both units with common roof.</p> <p>porch cannot encroach into 5' side setback. can encroach into front setback(22.8)up to 5'</p> <p>no ceiling height over 15' in height</p> <p>3 off street parking spaces per urban core.</p>	<p>SEE SURVEY APPROVED DATED 9-27-07</p>
---	--

Exhibit 'B1'

ALLEY (20')

SCALE: 1"=2'



LOT 3
BLOCK 6
A. E. HABICHT
SUBDIVISION
OF OUTLOT 34
DIVISION B
VOLUME 1
PAGE 42

EXHIBIT MAP OF
LOT 2, BLOCK 6, A. E. HABICHT
SUBDIVISION OF OUTLOT 34,
DIVISION B, A SUBDIVISION
IN TRAVIS COUNTY, TEXAS,
ACCORDING TO THE MAP OR
PLAT THEREOF RECORDED IN
VOLUME 1 PAGE 42 OF THE
PLAT RECORDS OF TRAVIS
COUNTY, TEXAS.
LOCATED AT 2102 EAST 13TH STREET

This map was completed without the benefit
of a current title commitment. This lot may be
subject to restrictions and easements not shown hereon

LEGEND

- 1/2" Iron Rod Found
- ◊ 1/2" Iron Rod Set with Plastic (Marked "Holt Carson, Inc.")
- Wood Fence
- Chain Link Fence
- Overhead Utility Line
- guy wire (Record Distance)

PREPARED: July 25, 2007
BY: [Signature]
clearance from AE energized power
lines. Enforced by AE & NESC codes.

Anne Thayer
Registered Professional Land Surveyor No. 5850

see map A601084 for complete boundary sur
AE APPROVED
SEP 27 2007
270-115
DH

HOLT CARSON, INC.
1904 FORTVIEW ROAD
AUSTIN, TX 78704
(512) 442-0990

Exhibit 'B2'

REVIEWED FOR ZONING ONLY
CITY OF AUSTIN
APPROVED FOR PERMIT
By: Victoria Hsu, P.E.
Water and Pollution & Development Review Department
Date: 9/27/07
The granting of a permit for these plans and specifications shall not be construed to be a permit for approval of, any violation of any of the provisions of the current adopted building code or any other ordinance of the City of Austin.

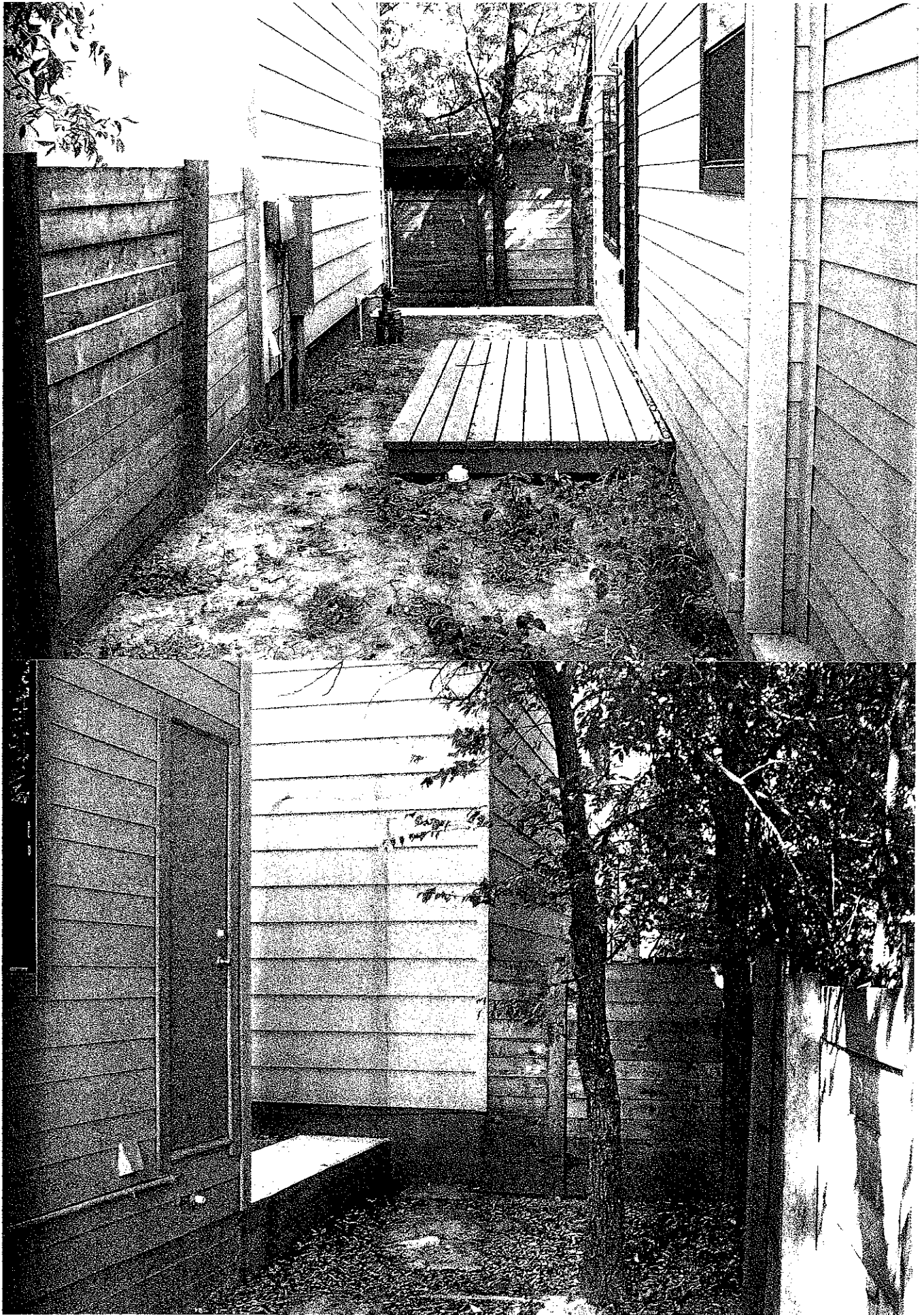


Exhibit 'C'

1329	20
10	0210110304
1327	
9	0210110303
1325	
8	0210110302
1323	
7	0210110301
1321	

12	0208110110
1321	
11	0208110109
1320	
10	0208110108
1322	
9	0208110107
1321	

11010107	6	2202
10110106	7	2202
0210110105	8	2205
0210110104	9	2202
0210110113	10	2201
0210110112	10	2202
0210110109	4	2202
0210110110	3	2202
0210110111	2	2202
0210110102	1	2202
0210110101	1	2202

0208110209	6	2202
0208110204	6	2202
0208110202	7	2202
0208110201	8	2205
0208110214	9-10	2202
0208110213	9-10	2202
0208110212	9-10	2202
0208110206	5	2202
0208110207	5	2202
0208110208	4	2202
0208110209	3	2202
0208110210	2	2202
0208110211	1	2202

F. B. FOSTER
138
9-10 0208110801 0208110802 0208110101

0209092507	6	2202
0209092506	7	2202
0209092505	8	2205
0209092504	9	2202
0209092503	10	2202
0209092502	10	2202
0209092501	10	2202
0209092508	4	2202
0209092510	6	2202
0209092511	3	2202
0209093001-3003	30	2202
0209092514	1	2202
0209092513	1	2202

0208110105	6	2202
0208110104	7	2202
0208110106	6-7	2202
0208110107	6-7	2202
0208110103	8	2205
0208110102	9	2202
0208110117	10	2202
0208110116	10	2202

0208110114	4-5	2202
0208110115	4-5	2202
0208110113	4	2202
0208110109	3/2	2202
0208110110	3	2202
0208110111	2	2202
0208110112	1	2202

HOFHEIZ RESUB
OF LOTS 1-3
BLOCK 2 CHLOT
34 DIVISION

0209092413	6A	2202
0209092414	6B	2202
0209092404	7	2202
0209092403	8	2205
0209092402	9	2202
0209092401	10	2202
0209092406	5	2202
0209092408	4	2202
0209093201-3203	32	2202
0209092901-2903	29	2202
0209092412	1	2202
0209092411	1	2202

0208090506	6	2202
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0208090502	8-9	2202
0208090501	10	2202

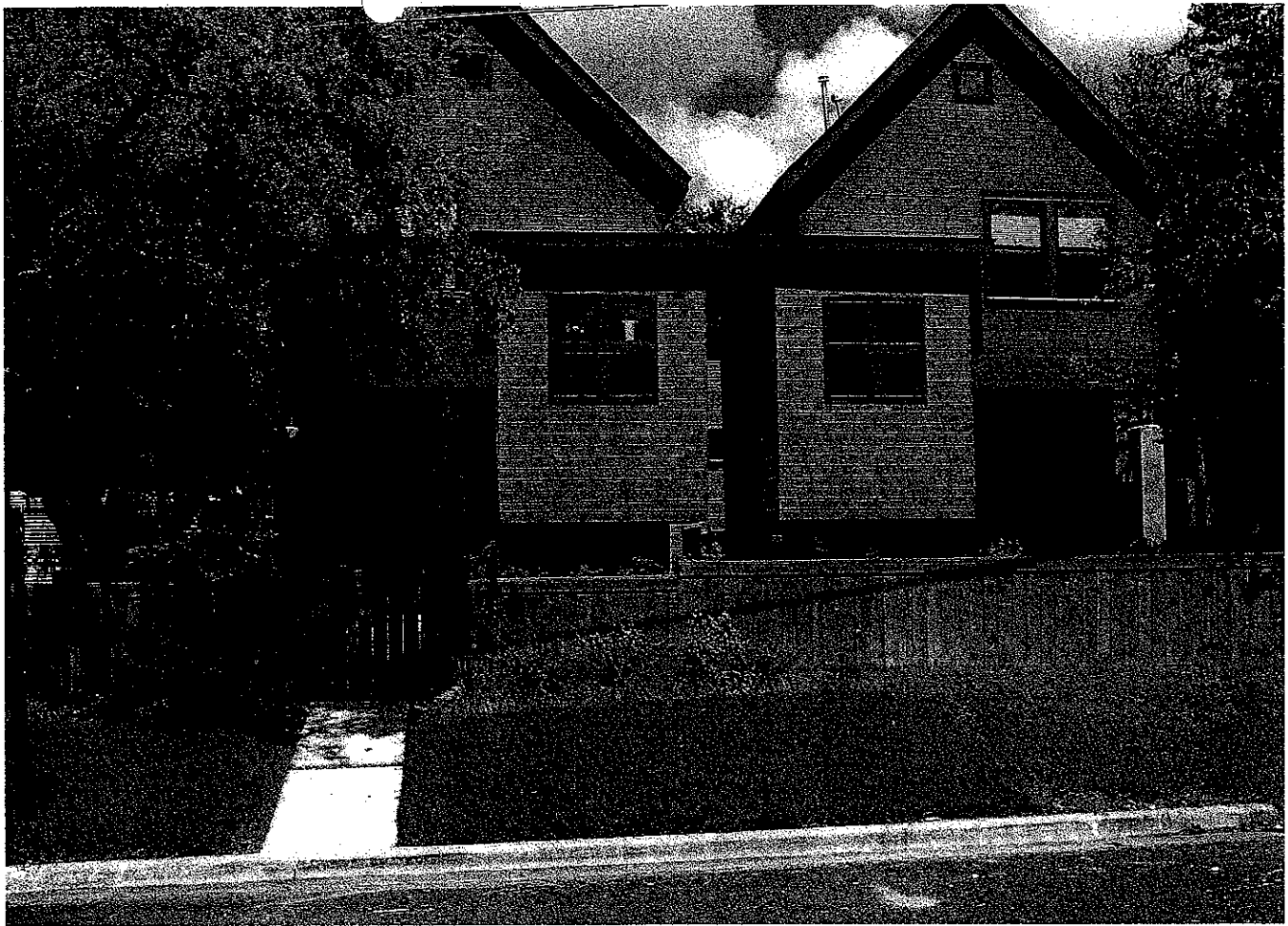
0208090507	4-5	2202
0208090511	4-5	2202
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0208090509	3-4	2202
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0208090511	1	2202

1806	4	2202
1807	4	2202

0209092305	6	2202
0209092304	7	2202
0209092302	8	2202

0209092306	4-5	2202
0209092313	5	2202
0209092307	4	2202
0209092308	3	2202
0209092309	3	2202

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0208090401	9	2202



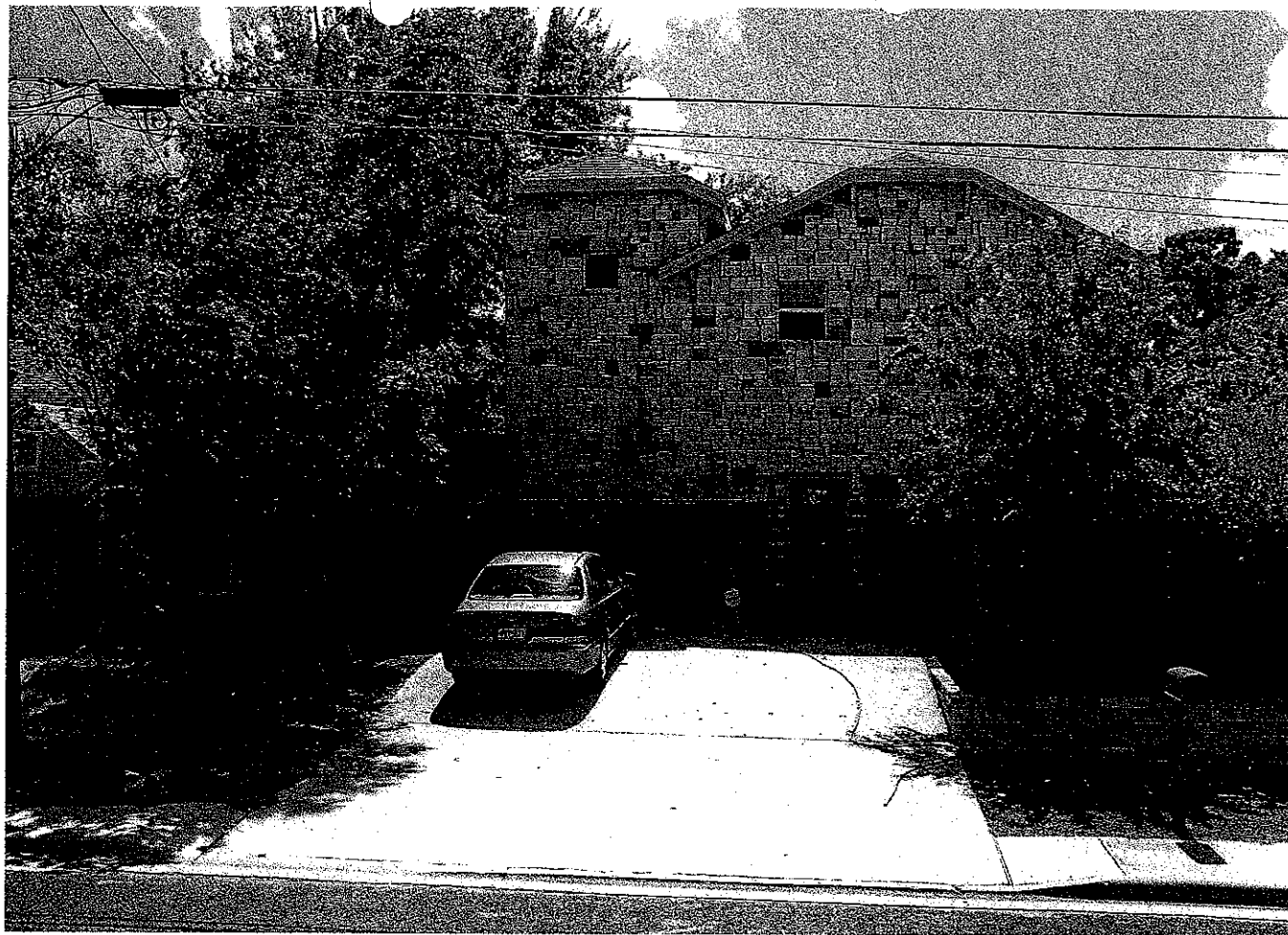
2002 A/B E. 13TH ST.; FAR= 0.45:1.0; BUILT 2007/2008

Lot Size= 7822 sq. ft.; Structure(s)= 3536 sq. ft.



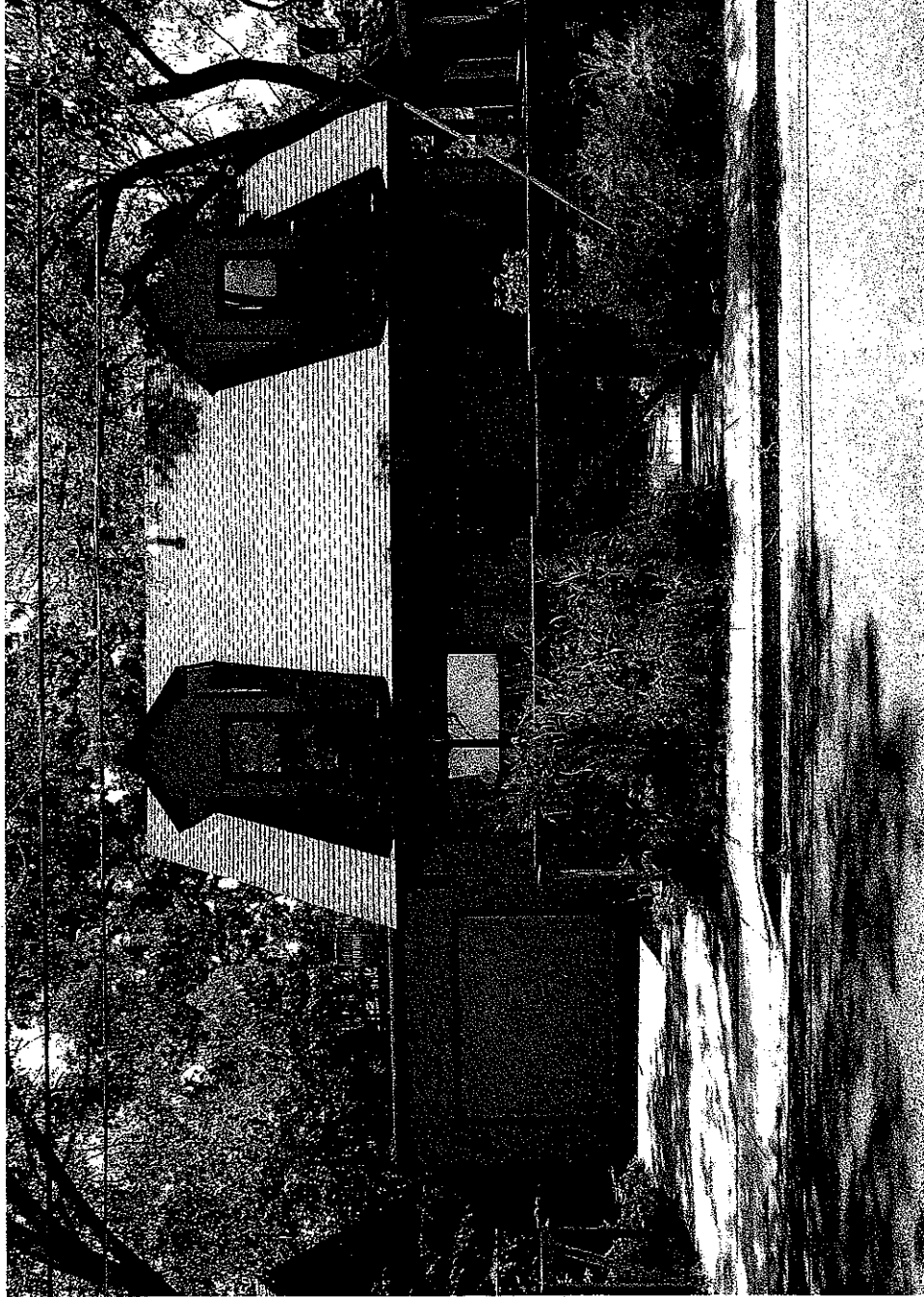
2004 A/B E. 13TH ST.; FAR= 0.45:1.0; BUILT 2006

Lot Size= 7816 sq. ft.; Structure(s)= 3508 sq. ft.



2101 E. 13TH ST.; FAR=0.50:1.0; BUILT 2006

Lot Size= 3530 sq. ft.; Structure= 1760 sq. ft.



2107 E. 13TH ST.; FAR=0.59:1.0; BUILT 2006/2007

Lot Size= 2636 sq. ft.; Structure= 1564 sq. ft.

C15-2010-0132

Chestnut Neighborhood Plan Contact Team • 1800 Singleton Ave. • Austin, Texas 78702

City of Austin Board of Adjustments
c/o Susan Walker, PDRD
PO Box 1088
Austin, Texas 78767

December 09, 2010

Re: Case Number C15-2010-0132, 2102 E. 13th St.

Ms. Walker:

On behalf of the Chestnut Neighborhood Plan Contact Team, I am writing to register our opposition to the two variances for the properties at 2102 E. 13th St. requested by Mike Collins, agent for property owners Tamara Dozier, & Tania & Jeff Culbertson. We object for two reasons.

First the property in question is not in compliance with the existing Neighborhood Plan or the COA allowable structures for SF-3. Although we are aware that the property has switched hands and the original contractor is no longer involved we believe that this does not constitute a hardship as it is the investors and buyers responsibility to make sure that the property they invest in is in compliance with the COA. It is unfortunate that the new owners will be held accountable for the actions of the previous developer, but if more buyers and investors were held responsible for the buildings they invest in, less developers would have incentives to construct outside the existing codes.

Secondly, we object because the Chestnut Neighborhood Plan Contact Team follows a strict policy of not supporting **any** post-construction requests for variances, zoning changes, plan amendments, etc. We believe that by supporting post construction variances we would be encouraging developers to build structures that disregard the Neighborhood plan and the COA building codes.

We respectfully request that the Board of Adjustment honor the Chestnut Neighborhood Plan and the Chestnut NPCT by denying the two variances requested for 2102 E. 13th St.

Sincerely,

Sarah Searcy
Chair, Chestnut Neighborhood Plan Contact Team

PUBLIC HEARING INFORMATION

Although applicants and/or their agent(s) are expected to attend a public hearing, you are not required to attend. However, if you do attend, you have the opportunity to speak FOR or AGAINST the proposed development or change. You may also contact a neighborhood or environmental organization that has expressed an interest in an application affecting your neighborhood.

During a public hearing, the board or commission may postpone or continue an application's hearing to a later date, or recommend approval or denial of the application. If the board or commission announces a specific date and time for a postponement or continuation that is not later than 60 days from the announcement, no further notice is required.

A board or commission's decision may be appealed by a person with standing to appeal, or an interested party that is identified as a person who can appeal the decision. The body holding a public hearing on an appeal will determine whether a person has standing to appeal the decision.

An interested party is defined as a person who is the applicant or record owner of the subject property, or who communicates an interest to a board or commission by:

- delivering a written statement to the board or commission before or during the public hearing that generally identifies the issues of concern (*it may be delivered to the contact person listed on a notice*); or
- appearing and speaking for the record at the public hearing; and:
- occupies a primary residence that is within 500 feet of the subject property or proposed development;
- is the record owner of property within 500 feet of the subject property or proposed development; or
- is an officer of an environmental or neighborhood organization that has an interest in or whose declared boundaries are within 500 feet of the subject property or proposed development.

A notice of appeal must be filed with the director of the responsible department no later than 10 days after the decision. An appeal form may be available from the responsible department.

For additional information on the City of Austin's land development process, visit our web site: www.ci.austin.tx.us/development.

Written comments must be submitted to the board or commission (or the contact person listed on the notice) before or at a public hearing. Your comments should include the name of the board or commission, or Council; the scheduled date of the public hearing; the Case Number; and the contact person listed on the notice.

Case Number: C15-2010-0132, 2102 E 13th St

Contact: Susan Walker, 512-974-2202

Public Hearing: Board of Adjustment, December 13th, 2010

Matter White, Lilihi
Your Name (please print)

☐ I am in favor
☒ I object

1208 Chestnut Ave

Your address (es) affected by this application

Walt Whit

Signature

12-3-10

Date

Daytime Telephone: 797-0641

Comments: There is too much development

in the neighborhood, taking green
space, polluting the air, increasing
traffic and noise, and making
our homes. This is a quality
of life issue. The city council
is allowing too much development
in central east Austin.

If you use this form to comment, it may be returned to:

City of Austin-Planning & Development Review Department/ 1st Floor

Susan Walker

P. O. Box 1088

Austin, TX 78767-8810

CASE #

C15-2010-0132
ROW-10503693
TP-02-0909-3002

CITY OF AUSTIN
APPLICATION TO BOARD OF ADJUSTMENT
GENERAL VARIANCE/PARKING VARIANCE

WARNING: Filing of this appeal stops all affected construction activity.

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.

STREET ADDRESS: 2102 A/B East 13th St., Austin, TX 78702-1710

LEGAL DESCRIPTION: Subdivision – A.E. Habicht

Lot(s) 2 Block 6 Outlot 34 Division B

I/We, Mike Collins on behalf of myself/ourselves as authorized agent for

WSC REO LLC and Tania & Jeff Culbertson, affirm that on October 14, 2010,

hereby apply for a hearing before the Board of Adjustment for consideration to:

ERECT X ATTACH COMPLETE REMODEL X MAINTAIN

Obtain three (3) variances. Variance 1- to Section 2.1, Subchapter F to increase the allowable FAR from a 0.4:1 FAR to a 0.59:1 FAR; Variance 2 – to Section 2.6, Subchapter F to allow an encroachment of 0'- 2' along a sloping roof edge over a distance of 14'; and, Variance 3 – to Section 25-2-773(D) to connect Units 2102 A/B with a breezeway in lieu of a common wall.

in a SF-3 district.
(zoning district)

The Austin Electric Utility Department (Austin Energy) enforces electric easements and the setback requirements set forth in the Austin Utility Code, Electric Criteria Manual and National Electric Safety Code. The Board of Adjustment considers variance to the Land Development Code, and a variance granted by the Board of Adjustment does not waive the requirements enforced by Austin Energy. Please contact Lena Lund with Austin Energy at 322-6587 before filing your application with the Board of Adjustment if your request is for a reduction in setbacks or height limits.

NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

REASONABLE USE:

1. The zoning regulations applicable to the property do not allow for a reasonable use because:

Buildings were permitted and constructed under previous regulations and can not fully comply with the 2008 McMansion ordinance, preventing the issuing of a CO on 2102A. Without the CO, 2102 A remains unoccupied.

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that:

The construction of the units was performed under older regulations. The downturn in the economy and subsequent foreclosure on Unit 2102A prevented the unit from being finalized as a duplex unit.

- (b) The hardship is not general to the area in which the property is located because:

Possession of the property was by default and the current owners of 2102A have never been in position to control the direction or speed of this property's development.

AREA CHARACTER:

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

Several properties in close proximity to 2102 A/B East 13th St., permitted in the same time period, have similar issues. There is no evidence of a negative impact on the character of the neighborhood by those homes.

PARKING: (Additional criteria for parking variances only.)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

N/A

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

N/A

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

N/A

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

N/A

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Mike Collins Mail Address 5001 Jeffery Pl.

City, State & Zip West Lake Hills, TX 78746

Printed Mike Collins Phone (414) 801-2012 Date 10-13-10

OWNERS CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed Tamara Dotter Mail Address 600 Round Rock W. Dr. #601

City, State & Zip Round Rock, TX 78681

Printed Tamara Dotter Phone (512) 257-3278 Date 10-13-10

**GENERAL INFORMATION FOR SUBMITTAL OF A VARIANCE REQUEST
TO THE BOARD OF ADJUSTMENT**

2. The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:

N/A

3. The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:

N/A

4. The variance will run with the use or uses to which it pertains and shall not run with the site because:

N/A

NOTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.

APPLICANT CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed _____ Mail Address _____

City, State & Zip _____

Printed _____ Phone _____ Date _____

OWNERS CERTIFICATE – I affirm that my statements contained in the complete application are true and correct to the best of my knowledge and belief.

Signed T. Culbertson Mail Address 202 E. 13th, B

City, State & Zip Austin, TX 78702

Printed Tania Culbertson & Jeff Culbertson Phone 512-698-4539 Date 11/16/10

**GENERAL INFORMATION FOR SUBMITTAL OF A VARIANCE REQUEST
TO THE BOARD OF ADJUSTMENT**

(The following is intended to provide assistance in explaining the variance process. These suggestions are not intended to be a complete or exhaustive guide in assisting you through this process.)

VARIANCE REQUIREMENTS:

General Requirements:

- A. A variance may be granted if, because of special circumstances of a property, the strict application of the Land Development Code regulations deprives the property owner of privileges that are enjoyed by another person who owns property in the area that has the same zoning designation as the property for which the variance is requested.
- B. A variance to a regulation may not grant special privileges that are inconsistent with the limitations on other properties in the area or in the district in which the property is located.

Required Findings:

The Board of Adjustment is also required to make findings discussed below in order to grant a variance. Applicants must provide the Board with proposed findings.

SUBMITTAL REQUIREMENTS: (Failure to complete the application or to submit all the required materials will result in non-acceptance of the application.)

- (1) A completed application indicating all variances being requested. An application must include proposed findings that will support requested variances. The required findings must address each variance being sought.
- (2) A site plan to scale indicating present and proposed construction and location and use of structures on adjacent lots.
- (3) A tax plat with subject property clearly marked indicating property within a 300-foot radius. These are available from the Travis Central Appraisal District at 8314 Cross Park Drive (834-9138).
- (4) Check made payable to the City of Austin for the Board of Adjustment application fee. (Residential zoning - \$360. All other zonings - \$660.)
- (5) Other Information – Although the following is not a requirement of submittal you may wish to include additional information that may assist the Board in making an informed decision regarding your request such as: photos of the site or visual aids to support the request, letters from the neighborhood association(s) etc. Any additional information you wish to submit must be in our office one week prior to the meeting. The Board will receive a packet with all information that has been submitted on the Thursday prior to the meeting.

Variances approved by the Board are limited to and conditioned upon the plans and specifications presented by the applicants, except as modified by the Board.

REQUIRED FINDINGS: All variance findings must be met in order for the Board to grant a variance. An application must include proposed findings that will support the requested variance. Incomplete applications will not be accepted.

Reasonable Use:

Application must demonstrate to the Board how the zoning regulations applicable to the property do not allow for a reasonable use of the property. [Note: The Board cannot approve a variance for a use that is not allowed in the zoning district in which the property is located. This requires a change in zoning.]

Hardship:

- a. Application must demonstrate to the Board how the hardship for which the variance is requested is unique to the property. Hardship should be specific to the property for which the variance is being requested. (For example, topography, lot configuration, or any physical constraint that would limit the placement of the structure or prevent compliance with required site development regulations, etc.) A strictly financial or personal reason is not a valid hardship.

- b. Application must demonstrate to the Board why the hardship is not general to the area in which the property is located. Describe how the hardship relating to the site is different from other properties in the area.

Area Character:

Application must demonstrate to the Board how the variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the zoning regulations of the zoning district in which the property is located.

NOTE: Parking variances require additional findings to be made. The additional findings are listed on the application and must also be completed for submittal of the application.

Board of Adjustment Staff:

**Susan Walker, Planner
974-2202**

**Diana Ramirez, Administrative Specialist, Board Secretary
974-2241**

Fax #974-6536

**Watershed Protection and Development Review Department
One Texas Center
505 Barton Springs Road, 2nd Floor**

**Mailing Address:
P. O. Box 1088
Austin, TX 78767-1088**

November 9, 2010

Board of Adjustment
City of Austin
Austin, Texas

RE: 2102 E. 13th Street

To Whom It May Concern,

We are the owners of Unit B associated with the "Condo" duplex development located at 2102 E. 13th Street. This 2-unit development is a product of a developer who has since left town and the development is undergoing a great deal of struggle in attempting to reach resolution for the finalization of Unit A.

We purchased our Unit B in August of 2007 and were issued a Certificate of Occupancy (CO) for a single-family home to secure the right of occupancy after the closing on the property. This CO was vetted through the proper City of Austin process and signed off by all City of Austin personnel, including the City of Austin Inspectors who had clear and real knowledge of the situation.

The abutting Unit A has not been occupied and currently is seeking a resolution to matters associated with the Land Development Code that preclude a clear Certificate of Occupancy from being issued for Unit A. The following is our position associated with the endeavor of procuring The Unit A Certificate Of Occupancy within the "Condo" duplex project boundary:

- 1) As owners with a vested interest in the "Condo" duplex property, we reserve the right to review any and all material information provided to the City of Austin as this information is directly associated with the Condominium Regime and directly affects our financial investment. Any material information provided to the City of Austin without the consent of all the landholders within the project is not

considered to be accurate information by us until all property owners have agreed and signed off on the material.

- 2) Because all applications to secure approval for building permits, variances, or the like require the signature of all parties within the "Condo" duplex project, we have been asked by the owners of Unit A to approve the application for variances which they are bringing before the Board of Adjustment. **We are only parties to this application because we do not wish to stand in the way of the attempts of the owners of Unit A to acquire a CO for their structure. Unit A was finished after we had already purchased Unit B and had received our CO, and while we would like to see a successful resolution to the mistakes associated with the completion of Unit A, we also wish to stress that we were not parties to any of the decisions or actions that produced those mistakes.**
- 3) Our unit, Unit B, has a CO issued for the structure. This CO is for a single-family home. This CO is legal in every aspect of the City of Austin and cannot be terminated or revoked at anytime as this CO was issued as such with full knowledge of the City of Austin building permit review staff and inspectors. We are legally occupying our Unit B consistent with all City of Austin rules, regulations, ordinances, requirements, policies, and interpretations.
- 4) The legal rights of Unit B should never be compromised by any action associated with any permit, variance, or the like, for any effort, now or in the future, to gain acceptance of the City of Austin for the issuance of a CO for Unit A.
- 5) The current or future CO for Unit B cannot be revoked at anytime based on any cause or action by the City of Austin if a determination is made that any past or future permit may have been issued in error. This directly affects our financial investment for which the City of Austin has responsibility, culpability, and liability if a determination is made, now or in the future, that any permit may have been issued in error.

It is with this expressed intent that we want to notify and disclose to the Board of Adjustment our position on the matter associated with the Unit A variance application to bring the entire 2102 E. 13th Street "Condo" duplex project to full development. It is not

our intent to stand in the way of the owners of Unit A in their attempts to secure a CO for their structure. Rather, we wish to stress that we were not parties to any of the decisions that led to the construction of Unit A, and we want to ensure that our interests are protected during the variance application process. We hope that the owners of Unit A and the Board of Adjustment are able to successfully bring this project to completion.

Should you have any questions, or need further clarification of our position, please contact us directly.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff & Tania Culbertson', written in a cursive style.

Jeff & Tania Culbertson

2102 E 13th Street, Unit B

Austin, TX 78703

512-215-2739

tculbertson@mail.utexas.edu

jeff.culbertson@fg2.com



BOARD OF ADJUSTMENTS

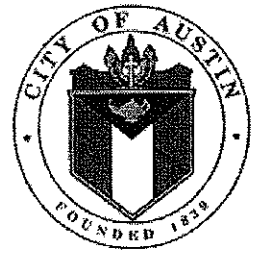


SUBJECT TRACT



ZONING BOUNDARY

CASE#: C15-2010-0132
 LOCATION: 2102 E 13TH STREET
 GRID: K23
 MANAGER: SUSAN WALKER



This map has been produced by the Communications Technology Management Dept. on behalf of the Planning Development Review Dept. for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.